IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.76614-M of 2006

DATE OF DECISION: FEBRUARY 9, 2007

Rajpal

...PETITIONER

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Sukhdeep Parmar, Advocate,
for the petitioner.

Mr.S.S.Mor, Sr.DAG, Haryana.

...

Petitioner Rajpal apprehending his arrest in a non-bailable offence in case FIR No.368 dated 1.10.2006 registered under Sections 324/326/34 IPC at Police Station Samalkha, District Panipat, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on December 7, 2006, the arrest of the petitioner was stayed subject to his joining the investigation.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that initially the aforesaid case was registered under Sections 324/34 IPC. The petitioner was arrested and was released on regular bail on 13.10.2006. Subsequently, on the opinion of the doctor about injury No.1, the offence under Section 326 IPC was added. Counsel contends that the said injury is not attributed to the petitioner. In fact, the allegation against the petitioner is that he caught hold the injured.

Counsel for the petitioner further contends that in terms of the interim order dated December 7, 2006, the petitioner has joined the investigation. This fact has not been disputed by the State counsel and he further states that the petitioner is no more required for further investigation.

In view of the above and for the reasons stated in the order

dated December 7, 2006, the same is made absolute on the same terms and conditions.

Disposed of accordingly.

February 9, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE